

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 249

CRM-M-25689-2019

Date of decision : 18.04.2022

Abhimanyu

..... Petitioner

VERSUS

State of UT, Chandigarh and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioner.

Mr.Anupam Bansal, Addl.P.P., UT, Chandigarh.

None for respondent No.2.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.408 dated 29.09.2014 registered under Sections 406 and 498-A IPC at Police Station Sector 39, Chandigarh on the basis of a compromise dated 24.05.2019 (Annexure P-2) entered into between the parties.

On 01.10.2019 this Court had directed the parties to appear before the Illaqa Magistrate/Duty Magistrate/Trial Court for recording of their respective statements with regard to the compromise, who in turn was directed to submit a report along with the recorded statements with regard to the genuineness of the compromise between the parties as also to intimate if any of the parties has been declared as proclaimed offender.

As directed, report dated 16.03.2020 from the Judicial Magistrate Ist Class, Chandigarh has been received as per which the parties had recorded their statements before the Trial Court in terms of the compromise arrived at between them; the compromise is valid and genuine and that the accused has not been declared as proclaimed offender.

Learned State counsel has no objection if the present petition is allowed.

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR which arises from a matrimonial dispute as also the matter having been compromised, would be an abuse of the process of law and in terms of the law laid down by the Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and others*, 2007 (3) RCR (Criminal) 1052, this Court deems it just and proper to allow the petition and resultantly quash FIR No.408 dated 29.09.2014 registered under Sections 406 and 498-A IPC at Police Station Sector 39, Chandigarh and all proceedings arising therefrom qua the petitioner.

18.04.2022
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No